

Message Text

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DRAFTED BY EA/K:RGRICH:LKD
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JUSTICE - PMICHEL
HOUSE ETHICS - JNIELDS
SENATE ETHICS - DSWILLENGER
S/S - O: SGOLDSMITH

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EXDIS

E.O. 11652: GDS

TAGS: PGOV, KS, US

SUBJECT: ROKG ASSURANCES RE KIM DONG-JO RESPONSES

REFS: (A) SEOUL 6744; (B) SEOUL 6745; (C) SEOUL 6779

1. THE KOREAN GOVERNMENT'S ASSURANCES AS CONVEYED TO YOU BY THE FOREIGN MINISTER (REF B) WERE CONVEYED TO STAFFS OF BOTH HOUSE AND SENATE ETHICS COMMITTEES AND TO SPEAKER O'NEILL BY THE DEPARTMENT ON AUGUST 1.

2. AFTER CAREFULLY WEIGHING THE KOREAN GOVERNMENT'S ASSURANCES, THE HOUSE ETHICS COMMITTEE HAS DECIDED IT WILL PROCEED TO SUBMIT QUESTIONS TO KIM DONG-JO THROUGH DIPLOMATIC CHANNELS AS PROPOSED BY THE ROKG. YOU SHOULD
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COMMUNICATE THIS DECISION IMMEDIATELY TO THE GOVERNMENT, NOTING THAT THE COMMITTEE WILL MEET FORMALLY EARLY THURSDAY MORNING WASHINGTON TIME AND THAT CHAIRMAN FLYNT PLANS TO MAKE AN ANNOUNCEMENT TO THE PRESS AT THAT TIME.

3. YOU SHOULD EMPHASIZE THAT THE SIGNIFICANT FACTOR IN THE COMMITTEE'S DECISION WAS THE HELPFUL ASSURANCES

RECEIVED FROM THE ROKG THAT IT WOULD ASSIST TO ENSURE THAT MEANINGFUL AND FULL RESPONSES ARE RECEIVED TO THE COMMITTEE'S QUESTIONS IN ORDER THAT THIS IMPORTANT INVESTIGATION CAN BE SATISFACTORILY CONCLUDED. THE COMMITTEE AND THE DEPARTMENT ARE BOTH MOST APPRECIATIVE OF THAT ASSISTANCE.

4. WITH REGARD TO THE FOREIGN MINISTER'S EMPHASIS ON A ONE-TIME EXCHANGE, WE UNDERSTAND THE KOREAN DESIRE THAT ALL ISSUES BE PLACED ON THE TABLE AT ONCE AND THAT THERE NOT BE AN OPEN-ENDED "NEGOTIATION" REGARDING ANSWERS. THE COMMITTEE IS PREPARED TO PROMISE THAT IT WILL NOT LATER SEEK TO INTRODUCE NEW LINES OF QUESTIONING OR SUBJECT MATTER. HOWEVER, YOU SHOULD MAKE CLEAR THAT WITHIN CLEARLY CIRCUMSCRIBED LIMITS WE MUST INSIST ON THE RIGHT TO SEEK CLARIFICATION OR ELABORATION OF SOME POINTS IF NECESSARY FOLLOWING KIM DONG-JO'S RESPONSE.

5. WE SEE NO DIFFICULTY IN ARRANGING TO TRANSMIT THE QUESTIONS FROM THE COMMITTEE SHORTLY AFTER THE FOREIGN MINISTER'S RETURN TO KOREA ABOUT AUGUST 12, AND AS NOTED IN REF C WE WOULD THEREFORE NOT WISH TO ASK HIM TO DIVERT HIS ALREADY SCHEDULED TRIP TO AFRICA DURING THE NEXT TEN DAYS.

6. FROM YOUR REPORTS AND OUR CONTACTS WITH THE ROK
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EMBASSY HERE WE FEEL THERE CAN BE NO DOUBT IN THE MINDS OF ROK LEADERSHIP REGARDING THE KIND OF COOPERATION EXPECTED FROM KIM DONG-JO AND OUR INTERPRETATION OF THEIR ASSURANCES. WE WOULD APPRECIATE YOUR FURTHER CONFIRMATION OF THIS. CONTINUING EFFORT WILL BE IMPORTANT IN ENSUING DAYS TO UNDERLINE THE SEVERELY NEGATIVE POLITICAL CONSEQUENCES IF THE PROCESS NOW BEING LAUNCHED SHOULD PROVE TO BE MEANINGLESS.

7. JAWORSKI'S LETTER TO THE SPEAKER ANNOUNCING THAT HE IS STEPPING ASIDE WILL BE MADE PUBLIC TODAY HERE TOGETHER WITH A 32-PAGE "FINAL REPORT" FROM JAWORSKI. WE UNDERSTAND THAT THE REPORT EXPRESSES SOME PESSIMISM ABOUT THE PROSPECTS FOR COOPERATION FROM KIM DONG-JO. THE CONJUNCTION OF THE CONGRESS' ACCEPTANCE THE VERY FOLLOWING DAY OF A PROCEDURE WHICH WILL BE SEEN BY THE PRESS AS SIMILAR TO THAT ALREADY REJECTED EARLIER BY JAWORSKI WILL BE NOTED BY THE MEDIA AND WE ANTICIPATE CRITICISM OF THE CONGRESSIONAL ACTION. YOU SHOULD EMPHASIZE TO THE KOREANS THE ADDED POLITICAL RISK THAT THE SPEAKER AND OTHERS ARE THUS EXPOSED TO IN ACCEPTING THE ROK OFFER IF IT SHOULD PROVE TO BE UNHELPFUL. YOU COULD ALSO POINT

OUT THAT THE SPEAKER TODAY OPPOSED A MOVE ON THE HOUSE FLOOR TO CUT MILITARY ASSISTANCE TO KOREA.

8. THE CONGRESSIONAL COMMITMENT TO CLOSE OUT INVESTIGATIONS HERE IN CONNECTION WITH KIM DONG-JO'S INFORMATION AND PUBLICLY THEREAFTER TO PRAISE THE KOREAN GOVERNMENT'S COOPERATION IS ALL DIRECTLY DEPENDENT UPON THE QUALITY AND COMPLETENESS OF KIM'S ANSWERS.

9. IN CONVEYING THE CONGRESSIONAL RESPONSE, THEREFORE, IT IS IMPORTANT THAT YOU RECAPITULATE SOME OF WHAT YOU HAVE SAID EARLIER AND ENSURE THAT AT THIS CRUCIAL JUNCTURE THERE ARE NO MISUNDERSTANDINGS. IF FOR ANY REASON WE SHOULD NOT PROCEED, INFORM US BY NIAC IMMEDIATE
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MESSAGE IN ORDER THAT WE MAY SUGGEST ANY CONGRESSIONAL ANNOUNCEMENT BE DEFERRED.

10. IN ANNOUNCING THIS ARRANGEMENT TO THE PRESS, CHAIRMAN FLYNT WILL NOTE THE POSITIVE CONTRIBUTION OF SPEAKER O'NEILL'S PERSONAL APPEAL TO PRESIDENT PARK, AND EXPRESS APPRECIATION FOR THE ASSURANCES OF ASSISTANCE AND COOPERATION FROM THE KOREAN GOVERNMENT WHICH ENABLE THE COMMITTEE TO ENGAGE IN A PROCEDURE TO OBTAIN INFORMATION IN A MANNER WHICH FULLY RESPECTS KOREAN SOVEREIGNTY AND THE INTERNATIONAL LEGAL PRINCIPLES EMBODIED IN THE VIENNA CONVENTION. WE ANTICIPATE THAT HE WILL ALSO STRESS THAT WHILE WE ARE THUS ENGAGING IN A PROCESS WHICH WE HOPE WILL ENABLE THE INVESTIGATIONS TO BE CONCLUDED SATISFACTORILY, IT IS PREMATURE TO MAKE A JUDGEMENT AT THIS TIME.

11. YOU MAY STATE THAT WE DO NOT YET HAVE A RESPONSE FROM THE SENATE SIDE, BUT IF A DECISION IS FORTHCOMING IN THE NEAR FUTURE WE WOULD HOPE TO BE ABLE TO TRANSMIT BOTH COMMITTEES' QUESTIONS ALMOST SIMULTANEOUSLY.

12. COMMENT: WE INTERPRET THE FOREIGN MINISTER'S DESIRE TO BE BACK AND DIRECTLY ENGAGED IN THE PROCESS WHEN QUESTIONS ARE RECEIVED AS A USEFUL REITERATION OF DIRECT ROKG INVOLVEMENT IN ENSURING A MEANINGFUL RESPONSE. WE HAVE COME A LONG WAY FROM THE JUNE 19 DISAVOWAL OF OFFICIAL ROK RESPONSIBILITY. HOWEVER, WE HAD UNDERSTOOD THAT THE PERSONAL CHEMISTRY BETWEEN KIM DONG-JO AND PAK TONG-JIN WAS NOT GOOD. LET US KNOW IF YOU BELIEVE WE SHOULD ENCOURAGE AMB KIM YONG-SHIK TO RETURN TO KOREA TO USE HIS PERSONAL INFLUENCE WITH KIM DONG-JO. PERHAPS NONE OF THIS IS NECESSARY, BUT BETWEEN NOW AND THE TIME
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INFORMATION IS ACTUALLY RECEIVED FROM KIM DONG-JO, WE SHOULD UTILIZE EVERY FEASIBLE MEANS TO ENSURE THAT HE DOES RESPOND TRUTHFULLY AND MEANINGFULLY. ALL THE GAIN FOR THE FUTURE OF ROK-US RELATIONS WHICH OTHERWISE WILL BE ACHIEVED WILL BE LOST IF KIM IS UNHELPFUL. THE REACTION WOULD BE VERY BAD HERE.

13. OUR APPRECIATION AND CONGRATULATIONS GO TO YOU FOR THE MAJOR STEPS FORWARD WE HAVE TAKEN ON THIS PROBLEM IN RECENT DAYS.

14. FOLLOWING IS LATE BULLETIN AS OF 7:30 P.M. WASHINGTON TIME. IN ORDER TO INSURE YOU RECEIVE THIS IN ADEQUATE TIME WE HAVE NOT REWRITTEN ABOVE MESSAGE.

15. DISREGARD PARAGRAPH 11 ABOVE. YOU MAY INFORM ROKG THAT THE SENATE ETHICS COMMITTEE HAS ALSO DECIDED TO ACCEPT KOREAN OFFER AND WILL PREPARE TO SUBMIT QUESTIONS TO KIM DONG-JO THROUGH DIPLOMATIC CHANNELS. ALL REFERENCES ABOVE TO HOUSE ETHICS COMMITTEE MAY BE INTERPRETED ON BEHALF OF BOTH COMMITTEES IN YOUR REPRESENTATIONS, EXCEPT AS FOLLOWS.

16. THE SENATE ETHICS COMMITTEE WILL MEET FORMALLY AT 1400 THURSDAY WASHINGTON TIME AND WILL ISSUE A PRESS RELEASE IN THE NAME OF THE CHAIRMAN AND VICE CHAIRMAN AT THAT TIME ALONG LINES OF PARA 10 ABOVE.

17. WITH REGARD TO PARA 4 (OUR NEED TO RESERVE THE RIGHT TO SEEK CLARIFICATION), SENATE SIDE ADDS FOLLOWING PENULTIMATE SENTENCE: "WHILE THE QUESTIONS WILL BE AS SPECIFIC AS POSSIBLE, SOME OF THE QUESTIONS WILL OF NECESSITY BE MORE GENERAL, SO THAT INFORMATION SUPPLIED BY KIM DONG-JO MIGHT POSSIBLY REQUIRE FURTHER EXPLANATION."

18. IN STRESSING THE POLITICAL RISKS TAKEN BY THE CON-

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GRESSIONAL LEADERSHIP IN ACCEPTING THE ROKG PROPOSAL YOU SHOULD ALSO STATE THAT SENATOR STEVENSON WILL OPPOSE DELETION OF PL-480 FUNDS FOR KOREA WHEN THIS ISSUE IS JOINED ON THE SENATE FLOOR THIS FRIDAY. HE WILL BE HEAVILY CRITICIZED IF LATER IT SHOULD PROVE THAT KIM DONG-JO IS NOT REALLY COOPERATIVE.

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